

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
KENNETH DONOVAN, HUSSIE KASSFY,  
and JOHN BRAMBL, individually and on behalf  
of all others similarly situated,

Plaintiffs,

-against-

GMO-Z.COM TRUST COMPANY, INC.,

Defendant.

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23 Civ. 8431 (AT)

**ORDER**

ANALISA TORRES, District Judge:

By order dated February 17, 2025, the Court dismissed Plaintiffs' claim brought under Section 12(a)(1) of the Securities Act of 1933, 15 U.S.C. 77l(a)(1), for alleged violations of Sections 5(a) and 5(c) of the Act, *id.* §§ 77e(a), (c). ECF No. 121 at 33. The Court granted Plaintiffs until March 10, 2025, to request leave to file a third amended complaint. *Id.* at 25 n.7, 33. Plaintiffs have not done so, and that deadline has now passed. Accordingly, the Court's dismissal of Plaintiffs' Securities Act claim is with prejudice. *See id.* at 25 n.7.

By **March 19, 2025**, the parties shall meet and confer and file a joint status update and jointly proposed case management plan. The parties are directed to consult the Court's Individual Practices in Civil Cases and model Case Management Plan and Scheduling Order, which are available at <https://nysd.uscourts.gov/hon-analisa-torres>. Both the joint letter and the proposed case management plan and scheduling order shall be filed electronically on CM/ECF.

SO ORDERED.

Dated: March 12, 2025  
New York, New York



ANALISA TORRES  
United States District Judge